



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,741	06/29/2001	Eddie H. Williams	359-008	1044
33354	7590	07/14/2006	EXAMINER	
ETHERTON LAW GROUP, LLC			BRINICH, STEPHEN M	
5555 E. VAN BUREN STREET, SUITE 100				
PHOENIX, AZ 85008			ART UNIT	PAPER NUMBER
			2625	

DATE MAILED: 07/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/895,741	WILLIAMS, EDDIE H.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Twyler M. Lamb	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 29 June 2001.  
2a)  This action is FINAL. 2b)  This action is non-final.  
3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-14 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-14 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 29 June 2001 is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_.  
\_\_\_\_\_

**DETAILED ACTION**

***Drawings***

1. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because figures are unclear (i.e. Figure 1, some of the text is almost unreadable). Applicant is advised to employ the services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Morag (US 6,324,545).

With regard to claim 1, Morag discloses a method of creating a personalized book describing an event (col 1, lines 5-7), the method comprising the steps of: gathering content about said event (col 5, lines 48-55); inputting said content into a computer to create digital data (col 3, lines 55-59); processing said digital data to format a personalized event book (col 6, lines 23-35; col 12, lines 3-17); and printing said personalized event book on a printer (col 7, lines 2-4).

With regard to claim 2, Morag discloses wherein said printer is a digital offset printer (which is a printer capable of processing high-quality digital color output at a high speed) (col 8, lines 26-46).

With regard to claim 3, Morag discloses further comprising the step of printing multiple copies of said personalized event book on said printer (It is inherent that once the final album is approved for print more than one print can be made.) (col 7, lines 2-8) and the user can print more copies from the media version of the album (col 6, lines 60-63).

With regard to claim 4, Morag discloses further comprising the step of distributing said copies to participants in said event (It is inherent that once the final album is approved and printed more than one copy can be made and distributed to others.) (col 7, lines 2-8).

With regard to claim 5, Morag discloses wherein said content comprises photographs (col 5, lines 48-55).

With regard to claim 6, Morag discloses wherein said photographs are arranged and incorporated into said personalized event book (col 6, lines 23-35).

With regard to claim 7, Morag discloses wherein said personalized event book further comprises textual material about said event (col 7, lines 15-17; col 9, lines 30-42).

With regard to claim 8, Morag discloses a personalized magazine commemorating an event (which reads on a personalized picture album) (col 1, lines 5-7) comprising a plurality of pages, each of said pages comprising at least one photograph related to said event and textual matter associated with said at least one photograph (col 5, lines 48-55; col 7, lines 15-17; col 9, lines 30-42), wherein said plurality of pages are bound together to create said personalized magazine (col 9, lines 54-61).

With regard to claim 9, Morag discloses wherein said textual matter and said at least one photograph are integrated into a common page layout (col 5, lines 48-55; col 7, lines 15-17; col 9, lines 30-42).

With regard to claim 10, Morag discloses wherein said textual matter and said at least one photograph are integrated by a computer application (col 6, lines 24-32; col 5, lines 48-55; col 7, lines 15-17; col 9, lines 30-42).

With regard to claim 11, Morag discloses wherein said plurality of pages is printed on a digital offset printer (which is a printer capable of processing high-quality digital color output at a high speed) (col 8, lines 26-46).

With regard to claim 12, Morag discloses a digital storage medium having computer-executable instructions stored thereon, wherein said instructions are configured to execute the method of claim 1 (col 6, lines 5-11; col 7, lines 2-8).

With regard to claim 13, Morag discloses a digital storage medium having computer-executable instructions stored thereon, wherein said instructions are configured to execute the method of claim 4 (col 6, lines 5-11; col 7, lines 2-8).

With regard to claim 14, Morag discloses a digital storage medium having computer-executable instructions stored thereon, wherein said instructions are configured to execute the method of claim 6 (col 6, lines 5-11; col 7, lines 2-8).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Twyler M. Lamb whose telephone number is 571-272-7406. The examiner can normally be reached on M-Thurs 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 09/895,741  
Art Unit: 2622

Page 6



Twyler M. Lamb  
Primary Examiner  
Art Unit 2622